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In re patent application of:

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**Before the Examiner:**

Aravinda Thiagalingam et al.

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Unknown

Serial No. 10/535,527

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Group Art Unit: Unknown

## AN INTRAMURAL NEEDLE-TIPPED SURGICAL DEVICE

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May 3, 2006

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Commissioner:

**1. List of All Patents, Publications, U.S. Applications, or Other Information**

Pursuant to the provisions of 37 CFR 1.56, 1.97, and 1.98, Applicant requests consideration of the references listed on the attached PTO/SB/08 form(s) (commonly referred to as a PTO-1449 form) and/or the additional information identified below.

- ☒ I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as **first class mail** in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.
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- ☐ I hereby certify that this correspondence is being **facsimile transmitted** to the United States Patent and Trademark Office, Fax No. (571) 273-8300 on the date indicated below.

**Timothy N. Thomas**

Typed/printed name of person signing this certificate

**Signature**

May 3, 2006

Date \_\_\_\_\_

2. Enclosed Legible Copies

- a. A legible copy of each foreign patent document and publication listed on the PTO/SB/08 form is enclosed,
- ☐ i. except, a copy is not provided for each reference previously cited by or submitted to the Patent Office in prior U.S. Patent Application Serial No. \_\_\_\_\_, filed \_\_\_\_\_ from which the present application claims priority under 35 U.S.C. §120.
- ☐ ii. except, a copy is not provided for each cumulative reference and enclosed reference identified below:
- ☐ b. A copy of the specification and drawings for each cited unpublished U.S. application.
- ☐ c. A copy of a Search Report or Written Opinion from a foreign patent office is also enclosed.
- ☐ d. Consideration of the enclosed additional and/or below discussed information is requested.

3. Concise Explanation of Relevance for Non-English Language Information

For each non-English language reference listed on the attached SB/08 form(s), reference is made to:

- ☐ 3a. an English language translation submitted herewith,
- ☐ 3b. foreign patent office Search Report (in the English language) submitted herewith,
- ☐ 3c. an English language translation of a foreign patent office Search Report submitted herewith,
- ☐ 3d. the concise explanation contained in the present application at page(s) \_\_\_\_\_,
- ☐ 3e. the concise explanation set forth in the attached English language abstract,
- ☐ 3f. a copy of a related patent publication (in the English language) cited herewith,

Foreign Patent Document	Corresponding English Language Patent Document

- ☐ 3g. the following concise explanation: Notification of the First Office Action from the Patent Office of the People's Republic of China.

4. Time for Filing

- ☐ 4a. This Information Disclosure Statement is submitted:
- ☐ i. for U.S. national applications or national stage PCT applications (not including CPAs and RCEs), within 3 months of filing or entry into national stage; or
  - ☒ ii. for U.S. national applications, national stage PCT applications, CPAs or RCEs, before the first Office Action on the merits,
- and thus no certification and/or fee is required.
- ☐ 4b. This information Disclosure Statement is submitted after three months from the filing date and after the first Office Action on the merits, but prior to the mailing date of a final Office Action or Notice of Allowance, and thus:
- ☐ i. the statement specified in 37 CFR §1.97(e) is provided below, or
  - ☐ ii. a fee of \$180.00 (set forth in 37 CFR §1.17(p)) is enclosed.
- ☐ 4c. This Information Disclosure Statement is submitted after the mailing date of a final Office Action or Notice of Allowance and prior to payment of the issue fee, and thus:
- ☐ i. the statement specified in 37 CFR §1.97(e) is provided below, and a fee of \$\_\_\_\_\_ (set forth in 37 CFR §1.17(p)) is enclosed, or
  - ☐ ii. a Request for Continued Examination (RCE) and fee of 37 CFR §1.17(e) has been filed.
- ☐ 4d. This Information Disclosure Statement is submitted after payment of the issue fee, and thus:
- i. a Petition to Withdraw from Issue pursuant to 37 CFR §1.313(c)(2) has been filed, and
  - ii. a Request for Continued Examination (RCE) and fee of 37 CFR §1.17(e) has been filed.

5. Certification- Statement Under 37 CFR 1.97(e)

- ☐ 5a. It is hereby certified that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
- ☐ 5b. A copy of a dated communication from a foreign patent office which clearly shows the statement is being submitted within three (3) months of the date on the communication is enclosed.
- ☐ 5c. It is hereby certified that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

The filing of this Information Disclosure Statement shall not be construed as an admission that the information cited is, or is considered to be, material to patentability as defined in §1.56(b). It is believed that no additional fees are required. Should any other fee be required, however, please charge such fee to Deposit Account No. 23-3030, but not to include any payment of issue fees.

Respectfully submitted,

By Timothy N. Thomas  
Timothy N. Thomas, Reg. No. 35,714  
Woodard, Emhardt, Moriarty, McNett & Henry LLP  
111 Monument Circle, Suite 3700  
Indianapolis, Indiana 46204-5137  
(317) 634-3456



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<b>Substitute for form 1449A/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/535,527
				Filing Date	May 13, 2005
				First Named Inventor	Aravinda Thiagalingam
				Art Unit	
Examiner Name					
Sheet	1	of	2	Attorney Docket No.	16973-2

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Application of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US- 5,281,218	01-25-1994	Imran	
		US- 5,447,533	09-05-1995	Vachon et al.	
		US- 5,531,780	07-02-1996	Vachon et al.	
		US- 5,807,395	09-15-1998	Mulier et al.	
		US- 6,251,121	06-26-2001	Saadat	
		US- 6,346,099	02-12-2002	Altman	
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FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Application of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
		WO 99/22658	05-14-1999	Sci Med Life Systems		<input type="checkbox"/>
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				Application Number	10/535,527
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				First Named Inventor	Thiagalingam
				Art Unit	
Examiner Name					
Sheet	2	of	2	Attorney Docket No.	16973-2

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s) publisher city and/or country where published	T <sup>2</sup>
		E.C. Palma, V. Saxenberg, P. Vijayaraman, K. Ferrick, J. Gross, S. Kim, J. Fisher – "Histopathological correlation of ablation lesions guided by noncontact mapping in a patient with peripartum cardiomyopathy and ventricular tachycardia", Pacing Clin Electrophysiol, 24, 12, pp. 1812-5	<input type="checkbox"/>
		E.J. Woo, S. Tungjitkusolmun, H. Cao, J.Z. Tsai, J.G. Webster, V.R. Vorperian, J.A. Will – "A new catheter design using needle electrode for subendocardial RF ablation of ventricular muscles: finite element analysis and in vitro experiments", IEEE Trans Biomed Eng. 2000, 47, pp. 23-31	<input type="checkbox"/>
		P. Kovoov – "Radiofrequency ablation for ventricular tachycardia", Department of Medicine, Sydney, University of Sydney; 1997	<input type="checkbox"/>
		H. Ohtake, T. Misaki, Y. Matsunaga, G. Watanabe, M. Takahashi, I. Matsumoto, M. Kwawasuji, Y. Watanabe – "Development of a new intraoperative radiofrequency ablation technique using a needle electrode", Ann Thorac Surg, 58, 3, pp. 750-3.	<input type="checkbox"/>
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